

1 MCGREGOR W. SCOTT  
United States Attorney  
2 JUSTIN L. LEE  
Assistant U.S. Attorney  
3 501 I Street, Suite 10-100  
Sacramento, CA 95814  
4 (916) 554-2700

5  
6  
7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA, ) 2:20-MJ-00052-AC  
12 )  
Plaintiff, ) STIPULATION AND ORDER  
13 ) CONTINUING PRELIMINARY  
v. ) HEARING DATE  
14 )  
RAYMOND LEON RODRIGUEZ, )  
15 ) Judge: Hon. Allison Claire  
Defendant. )  
16 )  
17 )

18 **STIPULATION**

19 The United States, by and through its undersigned counsel, and the defendant, by  
20 and through his counsel of record, hereby stipulate as follows:

- 21 1. By prior order, this matter was set for Preliminary Hearing on May 15, 2020.  
22 2. By this Stipulation, the parties now move to continue the Preliminary Hearing until  
23 July 24, 2020, at 2:00 p.m. This is the second request for a continuance in this  
24 matter.  
25 3. The defendant made his initial appearance on March 11, 2020.  
26 4. The defendant is presently released on pretrial supervision pending trial in this  
27 matter.

28 ///

- 1 5. On March 23, 2020, the United States provided 68 pages of reports related to the  
2 criminal investigation of the defendant. On May 4, 2020, counsel for co-defendant  
3 Guerra-Salcedo requested additional follow-up discovery. The United States will  
4 provide this discovery to both counsel. Counsel for the defendant needs time to  
5 review the discovery, conduct defense investigation, and consult with the defendant.  
6 6. Additionally, the parties have discussed potential pre-indictment resolution of this  
7 matter. The parties need further time to discuss this matter, discuss any potential  
8 consequences, and to allow counsel for the defendant reasonable time necessary for  
9 preparation and further investigation.  
10 7. The defendant understands that pursuant to 18 U.S.C. § 3161(b), “any information  
11 or indictment charging an individual with the commission of an offense shall be  
12 filed within thirty days from the date on which such individual was arrested.” Time  
13 may be excluded under the Speedy Trial Act if the Court finds that the ends of  
14 justice served by granting such a continuance outweigh the best interests of the  
15 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The parties  
16 jointly move to exclude time within which any indictment or information shall be  
17 filed from the date of this order, through and including July 24, 2020, pursuant to  
18 18 U.S.C. § 3161(h)(7)(B)(iv), because failure to do so would “deny counsel for the  
19 defendant . . . the reasonable time necessary for effective preparation, taking into  
20 account the exercise of due diligence.”  
21 8. Good cause exists under Rule 5.1(d) of the Federal Rules of Criminal Procedure.

22 **IT IS SO STIPULATED.**

24 DATED: May 6, 2020


/s/ Justin L. Lee  
JUSTIN L. LEE  
Assistant U.S. Attorney

26 DATED: May 6, 2020

/s/ Philip Cozens  
PHILIP COZENS  
Attorney for Raymond Rodriguez  
(as authorized on May 5, 2020)

**ORDER**

IT IS SO FOUND AND ORDERED, this 6<sup>th</sup> day of May, 2020.

  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE